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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/536,994	05/31/2005	Abdellatif Benjelloun Touimi	0600-1180	1649

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YOUNG & THOMPSON
209 Madison Street
Suite 500
Alexandria, VA 22314

EXAMINER	
OKEKE, IZUNNA	
ART UNIT	PAPER NUMBER
2432	

NOTIFICATION DATE	DELIVERY MODE
07/28/2010	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

DocketingDept@young-thompson.com

Office Action Summary	Application No.	Applicant(s)	
	10/536,994	BENJELLOUN TOUIMI ET AL.	
	Examiner	Art Unit	
	IZUNNA OKEKE	2432	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *21 May 2010*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *11,12 and 14-21* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *11,12 and 14-21* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application.
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 11-12 and 14-20 have been considered but are moot in view of the new ground(s) of rejection.

Safadi teaches the device having the ability to recognize multiple DRM schemes (Para 38) which comprise usage rights that can be implemented using different rights expression language such as XrML as disclosed in Para 12-15. Also See Para 39, the conversion done at the proxy is from one language (such as XrML) to another language recognized by the device (native language). Safadi discloses multiple languages recognized by the device wherein the proxy does the conversion from one DRM scheme to any of a plurality of schemes. The claims as amended now require assigning a priority order to each of the plurality of rights expression languages (DRM schemes) wherein the conversion from one DRM scheme to a second DRM scheme is based on the priority of the second scheme. Safadi does not disclose priority information added to the schemes and conversion based on the priority information. However, the subject of priority processing is well known in the art as illustrated by Tanaka (US-5793546, Col 9, Line 5-15, which teaches a method of recording a signal in a plurality of formats wherein the formats are assigned compatibility ID information in order of priority of compatibility and the recording of the signals are done according to the format with the highest priority) and introduced as a secondary reference in the rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 11-12, 14-18 and 20-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Safadi (cited in previous action), and further in view of Tanaka (US-5793546).

a. *Referring to claim 11 and 20:*

Regarding claim 11 and similar claim 20, Safadi teaches A system for accessing, at a consultation station, information associated with rights to use said information, the use rights being expressed in a particular rights expression language, the consultation station including use rights recovery means adapted to recognize use rights expressed in a plurality of different languages in order to access said information and being operable to declare a list of the plurality of use rights expression languages and to assign a priority order to each of the plurality of uses rights expression languages of the list, which system includes a use rights adaptation unit including means for receiving use rights data associated with the information to be accessed (Para 26, 31, 38-39 and 41 teaches receiving at a proxy station, DRM scheme information (comprising usage rights) associated with contents. The proxy station recognizing the usage rights language and determining if the device that requested the content can process the language (XrML, etc) or not and converting the language to one (native) compatible with the device); and means for analyzing said use rights data to determine said particular rights expression language in which said use rights associated with said information are expressed, the user rights adaptation unit being associated with means for determining the one or more use rights expression languages recognized by said recovery means of said consultation station, and further including means for comparing the said particular rights expression language with the plurality of one or

more use rights expression languages recognized by said recovery means of said consultation station to determine if said particular right expression language is recognized by said recovery means (Para 26 and 38-39 teaches the proxy station processing DRM scheme to determine if the device that requested it can use the DRM scheme language recognized by the proxy. If the device can use the scheme, it is forwarded to the device, the proxy converts the expression language to a scheme which is recognized by the device and forwards it to the device); and use rights conversion means for converting the use rights associated with said information when expressed in a language that is not recognized by said recovery means of said consultation station from said particular language in which the use rights associated with the information are expressed to another language selected from the list of the plurality of use rights expression languages recognized by said recovery means of the consultation station by taking into account the priority order of each of the plurality of use rights expression languages in the list (Para 21, 23, 38-39 teaches the proxy converting the DRM scheme if it is expressed in a language which is unrecognizable to the device to a native scheme which is recognizable by the device).

Safadi teaches a plurality of DRM schemes (languages) recognized by the consumer device and a conversion process by the proxy of converting an original DRM scheme to a native DRM scheme (out of the plurality of DRM schemes) recognized by the device. Safadi does not teach assigning a priority order to the plurality of DRM schemes and doing the conversion based on the priority order of the multiple DRM schemes. However, priority processing is well known in the art wherein a priority order is assigned to a plurality of variables (such as an output format, conversion format or recording format) and processing is done based on the priority information. For instance, Tanaka discloses a method of recording a signal in a plurality of formats wherein

the formats are assigned compatibility ID information in order of priority (the highest priority being the most compatible) and the recording of the signals are done according to the formats with the highest priority. Therefore one of ordinary skill would have been motivated to assign priority information to the multiple DRM schemes as taught by Tanaka's recording formats so that in a situation where a device is compatible with more than one DRM scheme, the proxy will convert the original scheme to a native DRM scheme with the highest priority for the purpose of improved performance by ensuring that DRM scheme used by the device is the best available.

a. *Referring to claim 12:*

Regarding claim 12, the combination of Safadi and Tanaka teaches a system according to claim 11, wherein the use rights adaptation unit includes said means for determining the one or more rights expression languages recognized by said recovery means of said consultation station and wherein said means for determining the one or more use rights expression languages recognized by said recovery means comprises means for remotely interrogating the recovery means (See Safadi, Para 28 teaches processing the DRM data to determine the DRM scheme in order to convert the scheme to a native scheme that will be recognizable by a device).

a. *Referring to claim 14:*

Regarding claim 14, the combination of Safadi and Tanaka teaches a system according to claim 11, wherein said information and said associated use rights are stored in the same information server connected to said consultation station and to said adaptation unit via an information transfer network (See Safadi, Para 26-27.... Contents and DRM scheme stored on a content server and delivered to proxy via an information transfer network).

a. *Referring to claim 15:*

Regarding claim 15, the combination of Safadi and Tanaka teaches a system according to claim 11, wherein said information is stored on an information server and said use rights associated with the information are stored on a rights management server, said information server, said rights management server, said consultation station and said adaptation unit being interconnected via an information transfer network, and said information including information as to the location of said rights management server to enable said consultation station to interrogate said rights management server in order to receive the rights associated with said information (See Safadi, See Fig 1, content server with DRM 52 for storing contents with DRM scheme, DRM proxy device and processor for recognizing DRM scheme and for conversion all interconnected via a transfer network).

a. *Referring to claim 16:*

Regarding claim 16, the combination of Safadi and Tanaka teaches a system according to claim 14, including a plurality of consultation stations connected to said information server through said information transfer network via a plurality of network nodes and a plurality of adaptation units integrated into each of the nodes connected directly to said consultation station (See Safadi, Para 37).

a. *Referring to claim 17:*

Regarding claim 17, the combination of Safadi and Tanaka teaches a system according to claim 11, wherein said consultation station is connected to said adaptation unit via a mobile telecommunication network and an information transfer network and said networks are connected by a gateway including information conversion means adapted to convert the information between said mobile telecommunication network and said information transfer

network (See the rejection in claim 11, Fig 1 and Para 27 and 30 teaches a network wherein mobile consumer device can operate to receive contents and DRM scheme).

a. *Referring to claim 18:*

Regarding claim 18, the combination of Safadi and Tanaka teaches a system according to claim 11, wherein said consultation station is mobile and said recovery means are adapted to recognize the DRMREL rights expression language (See the rejection in claim 11 and 17).

a. *Referring to claim 21:*

Regarding claim 21, the combination of Safadi and Tanaka teaches a consultation station adapted to consult information associated with rights to use said information, the use rights being expressed in a particular language, including use rights recovery means adapted to recognize use rights expressed in a plurality of one or more different languages in order to access said information, which consultation station is operable to declare includes means for declaring a list of the plurality of one or more use rights expression languages recognized by said recovery means and to assign a priority order to each of the plurality of uses rights expression languages of the list, to a use rights adaptation unit in order to receive from the said rights adaptation unit converted use rights associated with said information, the conversion being done according to the priority order of each of the plurality of use one of the rights expression languages of the transmitted (See the rejection in claim 11 and Para 38 teaches the proxy station determining that the device recognizes multiple DRM schemes).

4. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Safadi (cited in previous action) and Tanaka (US-5793546), and further in view of Bormans et al. (cited in previous action)

a. *Referring to claim 19:*

Regarding claim 19, Safadi and Tanaka teaches a system according to claim 11 which uses DRM architecture. Safadi does not teach the DRM language as MPEG-21 rights expression language. However, Bormans teaches MPEG-21 rights expression language (See Bormans, Section 5.5 teaches MPEG-21 rights expression language). Therefore, it would have been obvious to one of ordinary skill at the time the invention was made to include the MPEG-21 Rights Expression language as disclosed by Bormans in the list of RELs implemented by Safadi for the purpose of expanding the capability of the DRM system to support video contents by using the MPEG-21 REL to define usage rights for media contents such as video.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to IZUNNA OKEKE whose telephone number is (571)270-3854. The examiner can normally be reached on 9:00am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on (571) 272-3799. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/IZUNNA OKEKE/
Examiner, Art Unit 2432

/Gilberto Barron Jr./
Supervisory Patent Examiner, Art Unit 2432